

**ALLEGED SHIPMENT:** On or about March 28 and April 7, 1944, by A. Schilling & Co., from San Francisco, Calif.

**PRODUCT:** Pickling whole spice, 47 cartons, each containing 12 2-ounce packages, at Seattle, Wash.

**VIOLATIONS CHARGED:** Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of the presence of rodent hairs, insect fragments, and insect excreta; and, Section 402 (a) (4), it had been packed under insanitary conditions whereby it might have become contaminated with filth.

**DISPOSITION:** September 16, 1944. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

**6192. Adulteration of imitation lemon flavor. U. S. v. 15 Cases and 12 Cases of Imitation Lemon Flavor. Default decree of condemnation. Product ordered delivered to charitable institutions. (F. D. C. No. 12659. Sample Nos. 79901-F, 79902-F.)**

**LIBEL FILED:** June 9, 1944, District of Maryland.

**ALLEGED SHIPMENT:** On or about March 7 and 10, 1944, by the Whitehall Food Manufacturing Corporation, Brooklyn, N. Y.

**PRODUCT:** 15 cases, each containing 24 bottles, and 12 cases, each containing 24 jugs, of imitation lemon flavor, at Baltimore, Md.

**LABEL, IN PART:** "Maison Royal \* \* \* Imitation Lemon Flavor."

**VIOLATIONS CHARGED:** Adulteration, Section 402 (b) (2), in that a solution containing a trace of citral, having little or no value as a flavoring, had been substituted in whole or in part for "Imitation Lemon Flavor"; Section 402 (b) (3), in that inferiority had been concealed by mixing with water and color; and Section 402 (b) (4), in that water had been added thereto so as to reduce the strength of the product, and color had been added thereto so as to make it appear better or of greater value than it was.

**DISPOSITION:** July 14, 1944. No claimant having appeared, judgment of condemnation was entered and the product was delivered to charitable institutions.

**6193. Adulteration and misbranding of vanilla extract. U. S. v. 20 1-Gallon Jugs of Vanilla Bean Extract. Consent decree of condemnation. Product ordered released under bond for relabeling. (F. D. C. No. 12329. Sample No. 77504-F.)**

**LIBEL FILED:** May 6, 1944, District of New Jersey.

**ALLEGED SHIPMENT:** On or about March 31, 1944, by Richard Frank & Co., New York, N. Y.

**PRODUCT:** 24 1-gallon jugs of vanilla bean extract at South Orange, N. J.

**VIOLATIONS CHARGED:** Adulteration, Section 402 (b) (2), a substance, vanilla extract containing added vanillin, an artificial flavor, had been substituted in whole or in part for vanilla, which the article purported to be.

Misbranding, Section 403 (a), the statement appearing on the label, "Vanilla Bean Extract Absolutely Pure \* \* \* Vanilla," was false and misleading as applied to vanilla extract containing artificial flavor; Section 403 (b), the article was offered for sale under the name of another food, vanilla; and, Section 403 (k), the product contained artificial flavoring and failed to bear labeling stating that fact.

**DISPOSITION:** July 24, 1944. Richard Frank & Co. having appeared as claimant and having admitted the allegations of the libel, judgment of condemnation was entered and the product was released under bond for relabeling under the supervision of the Food and Drug Administration.

#### MISCELLANEOUS FOODS\*

**6194. Adulteration and misbranding of gift packages. U. S. v. 438 Gift Packages. Default decree of condemnation. Fit portion ordered sold and unfit portion ordered destroyed. (F. D. C. No. 11262. Sample No. 39521-F.)**

**LIBEL FILED:** December 18, 1943, Southern District of California.

**ALLEGED SHIPMENT:** On or about June 23, 1943, by the Bettman Nut Co., from New York, N. Y.

\*See also No. 6046.

**PRODUCT:** 438 1½-pound gift packages at Los Angeles, Calif.

The article consisted of a cellophane-wrapped pottery casserole which contained two layers. The top layer, which was visible through the cellophane, consisted of a 2½-ounce jar of jelly in a pleated paper cup, surrounded by 6 paper cups containing wrapped candies and 2 paper cups containing cookies. The bottom layer was a jumble pack of small cookies.

**VIOLATIONS CHARGED:** Adulteration, Section 402 (a) (3), the article contained cookies which were unfit for food since they were stale and rancid.

Misbranding, Section 403 (d), the container was so filled as to be misleading, since the bottom layer, which could not be seen by the purchaser, consisted entirely of cookies which were of less value than the top layer.

**DISPOSITION:** September 13, 1944. No claimant having appeared, judgment of condemnation was entered and the assorted candies and jellies which constituted the fit portion of the article were ordered sold, as well as the pottery casserole. The cookies which constituted the unfit portion were ordered destroyed.

**6195. Adulteration of baker's yeast. U. S. v. 35 Bags of Baker's Yeast. Default decree of condemnation and destruction.** (F. D. C. No. 13348. Sample No. 63349-F.)

**LABEL FILED:** August 17, 1944, Northern District of Georgia.

**ALLEGED SHIPMENT:** On or about July 3, 1944, by Henry A. Kohman, from Pittsburgh, Pa.

**PRODUCT:** Baker's yeast, 35 bags, each containing 10 pounds, at Atlanta, Ga.

**VIOLATIONS CHARGED:** Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a filthy substance by reason of the presence of insect fragments; and, Section 402 (a) (4), it had been prepared under insanitary conditions whereby it might have become contaminated with filth.

**DISPOSITION:** September 18, 1944. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

**6196. Misbranding of Butex. U. S. v. 8 15-Pound Drums and 1 25-Pound Drum of Butex. Default decree of condemnation and destruction.** (F. D. C. No. 12414. Sample No. 69898-F.)

**LABEL FILED:** May 26, 1944. District of Colorado.

**ALLEGED SHIPMENT:** On or about March 10, 1944, by Weber and Mollner, Ltd., Los Angeles, Calif.

**PRODUCT:** 145 pounds of Butex at Denver, Colo.

**VIOLATIONS CHARGED:** Misbranding, Section 403 (a), in that the label statements, "The Original and Only Butex A Unique Flavor Essence For 'That Butter-Like Taste' Made with Natural Flavoring Oils derived from Butter, fortified by Oils developed from a Fermented Culture, and processed with Certain Fixatives 'to keep the butter-like taste from baking out'. Enriches All Baking and Cooking," were false and misleading in that they implied that the article was essentially a natural butter flavoring, whereas it was essentially an artificial flavoring with little, if any, natural butter flavoring; and in that the statement "Enriches All Baking and Cooking" was false and misleading since the product did not enrich, but artificially flavored, food; Section 403 (c), the product was an imitation of another food, butter flavor, and its label failed to bear, in type of uniform size and prominence, the word "imitation" and, immediately thereafter, the name of the food imitated; and, Section 403 (i) (2), the article was a flavoring sold as such, fabricated from two or more ingredients, and its label failed to bear the common or usual name of each ingredient.

**DISPOSITION:** July 13, 1944. No claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

#### VITAMIN PREPARATIONS

**6197. Adulteration and misbranding of Hiran and Kal Tablets. U. S. v. 52 Bottles of Hiran and 150 Bottles of Kal Tablets. Default decrees of condemnation and destruction.** (F. D. C. No. 10969. Sample Nos. 55509-F, 55510-F.)

**LABELS FILED:** October 21, 1943, Western District of Washington.

**ALLEGED SHIPMENT:** On or about May 21, June 28 and September 8, 1943, by Makers of Kal, Inc., from Los Angeles, Calif.